## Beulah Public Schools OCKET FILE COPY ORIGINAL

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District #27

Wilfred Volesky, Superintendent 204 5th Street N.W. Beulah, ND 58523-6543 Phone (701)873-2261 Fax (701)873-5273 wvolesky@sendit.nodak.edu **ADMINISTRATIVE STAFF** 

Donald G. Bradley, Business Manager Kelly L. Rasch, High School Principal Mark M. Wagner, Technology Coordinator Arthur D. Schilke, Elementary Principal Gail M. Wold, Middle School Principal Rochel A. Wagner, Office Coordinator

October 5, 2001

Federal Communications Commission Office of the Secretary 445 12<sup>th</sup> Street SW Room TW-A325 Washington, DC 20554

**BOARD OF EDUCATION** 

Janet Staloch, Chairperson

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RE: Appeal of Schools and Libraries Funding Decision

**Beulah School District 27** 

Form 471 Application Number 128716 Funding Year: 07/01/99 to 06/30/2000

Reference to: CC Docket Nos. 96-45 and 97-21

Person Knowledgeable of Appeal

Wilfred Volesky, 204 5th St. NW, Beulah, ND 58523

Telephone Number: 701-873-2261 Fax Number: 701-873-5273

E-Mail Address: Wilfred Volesky@sendit.nodak.edu

On April 27, 2001 I received the Funding Commitment Decision Letter for funding year 2 from the Schools and Libraries Division. The letter indicated that they had denied the funding for application numbers 0000128716, 000483364 and 0000483365. The items connected with these numbers were all denied funding based on the same reason. The reason given was "A contract for a new service was signed prior to the required 28-day waiting period computed from the date of the posting of the Form 470 to the SLD web site."

In that same letter the SLC indicated that they had posted our application on 02/04/1999, which meant that we could not sign a contract until after the 28 day waiting period, which was 03/04/1999. The SLC are basing their decision on Evidence Sheet One. This sheet is a bid document that we received from West River Telecommunications Cooperative. The February 23, 1999 date is the date that they created the bid sheet for us. You can see



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Letter of Appeal

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on the bottom of that same page that this bid sheet was faxed to us on February 26, 1999. These two dates do not reflect the date that we signed the bid document and entered into a contract with West River Telecommunications Cooperative.

Evidence Sheet Two is a letter from the vendor in question, West River Telecommunications Cooperative. The letter indicates that they received a signed bid sheet from us on March 8, 1999. This is four days after the end of the 28-day waiting period, which was March 4, 1999. Evidence Sheet Three shows the date, March 8, 1999 that was written on the contract by Rockne Bonsness, an employee of West River Telecommunications. This was the date that the contract was received by West River Telecommunications. (Note: West River Telecommunications is located in Hazen, ND which is located 10 miles east of Beulah. Any mail sent First Class would be received no later than two days after it was mailed.)

As we indicated earlier the justification by the SLC for denying the services requested is because we signed a contract during the 28-day waiting period. We believe that the three evidence sheets clearly show that we did not sign a contract with West River Telecommunications prior to the expiration of the 28-day waiting period.

With the evidence that we have provided we are hopeful that you will provide us with a favorable ruling thus allowing the Beulah School District 27 to receive their e-rate dollars.

Yours truly,

Wilfred Volesky

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JY (FKI) 10:U4

WEST RIVER TELEPHONE

TEL:1 701 748 6800

P. 002

Contract No.:

BPS 101

EVIDENCE SHEET ONE

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West River Telecommunications Cooperative T 0 9 2001 July 1, 1999 thru June 30, 2000 E-Rate Bid Sheet 0

Prepared for:

Beulah School District 27

FCC MAIL 4700Mb. 23, 1888

These Services will be billed under SPIN NO. 143002752

Monthly

Annual

Non Recurring

Local Telephone Service

(Per tarlff)

Cost \$569.69

Cost \$6,836.28 Charges

**Existing Analog Circuit** 

(High School to Middle School)

\$99.90

\$1,198.80

West River Long Distance

These Services will be billed under

SPIN NO. 143004079

**Long Distance** \$.15/min

Estimate

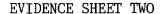
\$200.00

\$2,400.00

02/26/99

TX/RX NO.5847

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Beulah Public Schools District #27 Wilfred Volesky, Superintendent 204 5<sup>th</sup> Street N.W. Beulah, ND 58523-6543

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RE:

Appeal of Funding Commitment Decision Letter of April 27, 2000

Beulah School District 27

Form 471 Application Number 128716 Funding Year: 07/01/99 - 06/30/2000

Billed Entity Number 134534

This is to verify that the information provided to the Beulah Public School District 27 for the subject mentioned funding year was completed on February 23, 1999 as indicated on our E-Rate bid sheet. It was forwarded to the school on February 26, 1999 by facsimile. Our records indicate that the signed original form was returned to our office on March 8, 1999.

Additionally, the services provided to the Beulah Public School are governed by West River Telecommunications Cooperative Local Exchange Tariff rates. The information provided on the E-Rate bid sheet was provided to assist the school in completing Form 471.

Sincerely,

Rockne T. Bonsness

Rockin T. Bonsness

Marketing

TEL:1 701 748 6800

P. 002

EVIDENCE SHEET THREE

West River Telecommunications Cooperative
July 1, 1999 thru June 30, 2000 E-Rate Bid Sheet

Prepared for:

Beulah School District 27

Date: Feb. 23, 1999

These Services will be billed under SPIN NO. 143002752

Monthly Annual

Non Recurring

Local Telephone Service

(Per tariff)

**Cost** \$569.69 **Cont** \$6,836.28 Charges

\_X\_

Existing Analog Circuit

(High School to Middle School)

\$99.90

\$1,198.80

West River Long Distance

These Services will be billed under

SPIN NO. 143004079

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Long Distance \$.15/min Estimate

\$200.00

\$2,408,89 0 9 2001

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Authorized Signature